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HIGH COURT OF CHHATTISGARH: BILASPUR

Writ Petition (C) No. 4169 of 2007

Petitioner Smt. Samarin Bai, aged about 53 years, W/o. Late Shri Parasram Khare, R/o. Village Adbhar, Tahsil Malkharoda, Distt. Janjgir Champa.

Versus

Respondents

1. The State of Chhattisgarh, through Secretary, Ministry of Revenue Department, D.K.S. Bhawan, Raipur.
2. The Collector, Janjgir-Champa.
3. The Land Acquisition Officer, Sakti, Distt. Janjgir-Champa.
4. The Executive Engineer, Hasdeo Bango Project, Dabhra, Tahsil Sakti, Distt. Janjgir Champa.
5. Contractor Prasad and Company (Project Works) Limited, Hyadrabad, Camp Officer, Tulsi Bhawan, Karasiya, Distt. Raigarh.

(Writ Petition under Article 226 of the Constitution of India.)

SB: Hon'ble Mr. Satish K. Agnihotri, J.

Present: Shri Parag Kotecha, counsel for the petitioner.
Shri Vivek Sharma, Panel Lawyer for the State/respondents No. 1 to 4.
Shri Pankaj Shrivastava, counsel for the respondent No.5.

ORDER

(Passed on 23rd October, 2007)

Learned counsel appearing for the petitioner submits that the respondents/authorities have constructed the canal in the land bearing Khasra Nos. 404/1, 404/2 and 389/9 admeasuring 2.77 acres, situated at village Adbhar, Tahsil Malkharoda, Distt. Janjgir Champa.

2) A portion of the land has been rendered useless on account of the fact that the soil has been taken out from the area for the purpose of construction of the canal. The Collector, Janjgir-Champa, is considering grant of compensation

since 2003 and no compensation has been determined and paid by the Collector, as yet.

3) It is submitted by the learned counsel appearing for the respondents that the petitioner shall be paid compensation as and when the same is determined by the Collector.

4) In view of the foregoing, it is expedient, in the interest of justice, to direct the Collector, Janjgir-Champa to determine the compensation in respect of the disputed land as early as possible, preferably, within a period of three months from the date of receipt of a copy of this order and ensure payment of the same, thereafter.

5) Accordingly, this petition is disposed of.

Sd/-
Satish K. Agnihotri
Judge